



County of Erie

DANIEL CASTLE, AICP
COMMISSIONER

DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT

JOSEPH FIEGL, P.E., BCEE
DEPUTY COMMISSIONER

March 27, 2026

Ms. Molly Bebak, E.I.T.
New York State Department of Environmental Conservation (NYSDEC)
Region 9 – Division of Water
700 Delaware Avenue
Buffalo, New York 14209

Re: March 18, 2026 Letter – NYSDEC
Notice of Violation (NOV)
Erie County Sewer District (ECSD) No. 1

TRANSMITTED VIA E-MAIL TO: molly.bebak@dec.ny.gov

Dear Ms. Bebak,

ECSD No. 1 in receipt of the NYSDEC's March 18, 2026 NOV letter regarding a sanitary sewer overflow (SSO) event occurring on December 16, 2025 at 2379 Union Road in the Town of Cheektowaga, New York. A copy of this NOV is enclosed as Attachment A. Included with the March 18, 2026 NOV letter was a "Certification of Compliance" requesting that ECSD No. 1 submit a "Letter Describing Corrections Made and/or actions being taken to address deficiencies". A signed copy of the "Certification of Compliance" is included in Attachment B. Please consider this correspondence as the "Letter Describing Corrections Made and/or actions being taken to address deficiencies".

As the NOV notes, the SSO event was reported by ECSD No. 1 via NY Alert, with a supplemental five (5) day report received by the NYSDEC. A copy of the referenced five (5) day report sent on behalf of ECSD No. 1 is included in Attachment C. The following is a summary of the details included in that report:

- The sanitary sewer backup was observed at 9:00pm on December 16, 2025, and the blockage was relieved at 9:45pm.
- A volume of 50 gallons was estimated for the SSO.
- The area around the manhole was returned to its original condition.
- A closed-circuit televising (CCTV) investigation was completed the following day, observing that a build-up of grease was the cause of the blockage.
- The grease was cleared from the sanitary sewer, and ECSD No. 1 noted that fats/oils/grease (FOG) inspections would be completed to identify the source(s) of the grease.
- A preventative maintenance task was entered into the Sewer District's computerized maintenance management system (CMMS) to clean this sewer line on a semi-annual basis.

Whenever there is a blockage of this type in ECSD No. 1, a work order is entered into the Sewer District's CMMS to schedule and track follow-up activities. There are three (3) sections of sanitary sewer upstream of the manhole where the SSO occurred. During CCTV activities two (2) of the sanitary sewer sections presented no evidence of grease; however, the section immediately upstream of the SSO included visible FOG at two (2) lateral connections. A fourth sanitary sewer section was also televised immediately downstream of the SSO where the blockage occurred, and an accumulation of grease and debris was observed.

As a result of this incident, the matter was referred to the Erie County Division of Sewerage Management's (DSM's) FOG group. On December 17, 2025 the DSM's FOG group inspected the two (2) potential grease sources connected to the sanitary sewer immediately upstream of the SSO – a community center located at 2379 Union Road and a nursing home located at 2365 Union Road. The results of those inspections are as follows:

- 2379 Union Road: at the time of inspection, the exterior oil and grease separator was approaching 25% full. The community center presented evidence that the oil and grease separator was cleaned later that week.
- 2365 Union Road: at the time of inspection and through follow-up correspondence, it was stated the cleaning frequency for the interior grease trap was insufficient. The nursing home presented evidence that their grease trap was cleaned later that week.

In summary, the SSO was corrected immediately on December 16, 2025 through clearing a blockage. FOG was found as the source of the blockage, and the grease mass was removed. ECSD No. 1 followed up with CCTV activities and identified the area where the grease likely originated. The DSM's FOG group inspected the potential grease sources and follow up activities have occurred. ECSD No. 1 has added a semi-annual preventative maintenance task in its CMMS to check this area and perform cleaning.

As previously referenced, enclosed in Attachment B is a signed "Certification of Compliance", submitted within the requested 45 days of the date of the NOV.

Please let us know if you require further information.

Sincerely,



Joseph Fiegl, P.E., BCEE
Deputy Commissioner

Cc: ECSD No. 1 Board of Managers
NYSDEC Region 9 (M. Emery, T. Mucha, S. Radon, D. Skaros, C. Staniszewski – via e-mail)
NYSDEC Albany (B. Heinen – via e-mail)
C. Horne/K. Kaminski (via e-mail)
J. Gollegly/W. Strzeszynski (via e-mail)
L. Surdej (via e-mail)
D. Millar/G. Pecak/M. Salah/ D. Wierzba/1.2.3.DEC Overflows

Attachment A

March 18, 2026 Letter
New York State Department of Environmental Conservation



March 18, 2026

VIA EMAIL ONLY

Joseph Fiegl
Deputy Commissioner
Erie County Sewer District No. 1
Erie County Department of Sewerage Management
95 Franklin Street, 10th Floor – Room 1034
Buffalo, NY 14202

Notice of Violation: Unauthorized Discharge
Erie County Sewer District No. 1
Town of Cheektowaga – Erie County
POSS No. NYS900038

Dear Joseph Fiegl:

PLEASE TAKE NOTICE THAT based on New York State Department of Environmental Conservation's ("Department") records a specific action constituting a violation of the New York State Environmental Conservation Law ("ECL") and the New York Code of Rules and Regulations ("NYCRR") has occurred at the above referenced facility. The violation is as follows:

1. ECL §17-0509 Minimum treatment required

"The minimum degree of treatment required for the discharge of sanitary sewage into the surface waters of the state shall be effective secondary treatment, provided, however, that additional treatment may be required consistent with the standards established for specific waters by the department pursuant to section 17-0301 or with standards, criteria, limitations, rules or regulations promulgated or applied pursuant to title 8 hereof."

This Notice of Violation ("NOV") is being sent regarding the sanitary sewer overflow ("SSO") event that occurred on December 16, 2025, at the address below, in violation of ECL §17-0509:

- 2379 Union Road, Town of Cheektowaga (MH BA8ED)

The overflow, totaling approximately 50 gallons, was due to a grease buildup in the sanitary sewer causing a dry weather discharge. The County reported that the blockage was relieved using a flusher truck on December 16, 2025. The event was reported to the Department via NY Alert in accordance with the Sewage Pollution Right to Know ("SPR TK") Act. A supplemental 5-day report was received for the event by the Department.

PLEASE TAKE NOTICE THAT pursuant to ECL § 71-1929, any person who violates any provision of, or who fails to perform any duty imposed by titles 1 through 11 and title 19 of article 17 of the ECL, or any regulation or order promulgated pursuant thereto, shall be liable for a civil penalty of not more than \$37,500 per day for each violation and, in addition thereto, such person may be enjoined from continuing such violation.

PLEASE TAKE FURTHER NOTICE THAT the Department is reviewing its options regarding the appropriate enforcement action(s), including the assessment of penalties, fines, and injunctive relief for the violation noted above. Compliance with this NOV shall not relieve Erie County Sewer District No. 1 of any liability for penalties or other appropriate sanction(s) for the above referenced violation. However, failure to immediately comply may result in a larger penalty than would otherwise be assessed, should the company be adjudged to be in violation of the ECL.

PLEASE TAKE FURTHER NOTICE THAT Erie County Sewer District No. 1 may submit information or evidence to the Department relevant to the facility's compliance record, the nature of the violations, or any mitigating circumstances. Any such information or evidence may be used in a civil enforcement proceeding. In the event that formal enforcement proceedings are initiated, the company will have the right to a hearing. Erie County Sewer District No. 1 may also request an informal conference to discuss this NOV and the events to which it relates.

Please submit the attached Certification of Compliance to the Department **within 45 days of the date of this NOV**. All questions and submittals can be directed to Molly Bebak of my staff at (716) 851-7070, or by email at molly.bebak@dec.ny.gov.

Sincerely,



Michael Emery, P.E.
Regional Engineer
NYSDEC Region 9

MMB/dsm

Enclosure: Certificate of Compliance

cc: Chad Staniszewski, P.E., Acting NYSDEC Regional Director
Teresa Mucha, Esq., NYSDEC Regional Attorney
Damianos T. Skaros, P.E., NYSDEC Regional Water Engineer
Stanley Radon, P.G., NYSDEC Regional Geologist
Molly Bebak, NYSDEC Region 9 Division of Water
Bryce Heinen, E.I.T, NYSDEC Division of Water, Albany

Attachment B

Certification of Compliance
Signed by Erie County



Certification of Compliance

For DEC Use:

Facility Name SPDES ID

Regional Inspector Date

Complete and return this Certification of Compliance by

Send to Regional Water Engineer:

1. Facility has corrected the violations specified in the inspection report cited or attached Notice of Violation; or certifying that permit or order schedule items are completed.
2. I am authorized as the permit holder to file this certification on behalf of the facility.
3. Submission of this certification does not limit enforcement or re-inspection by the department.

| Please Submit Items Checked | | Received Date |
|------------------------------------|--|---------------|
| Photos | <input type="checkbox"/> | |
| Engineer's Certification | <input type="checkbox"/> | |
| Letter Describing Corrections Made | <input checked="" type="checkbox"/> and/or actions being taken to address deficiencies | |
| As-Built Plans | <input type="checkbox"/> | |
| Other | <input type="checkbox"/> | |

For Permittee Use:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Permittee (Per CFR 122.22)
(Print or Type)

Title

Date Signed

Attachment C

December 19, 2025 Letter
Erie County Sewer District No. 1



County of Erie

DANIEL CASTLE, AICP
Commissioner

DEPARTMENT OF ENVIRONMENT AND PLANNING

JOSEPH FIEGL, P.E., BCEE
Deputy Commissioner

TRANSMITTED VIA E-MAIL

December 19, 2025

Environmental Engineer in Charge
NYS Department of Environmental Conservation
700 Delaware Avenue
Buffalo, New York 14209

Re: 2379 Union Rd.
Cheektowaga, New York 14227
Permit Number: NYS900038
Incident Date: December 16, 2025
Initial NY-Alert Notification Number: 2289975093874584

Dear Ms. Bebak,

This letter is a follow-up to the overflow report as required under the law that was made to the NY-Alert/Everbridge website on December 17, 2025, for an overflow that occurred in the E.C. Sewer District 1 service area, at the above listed address.

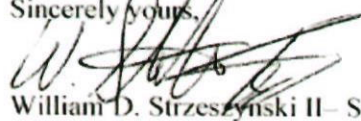
District staff responding to a complaint call at 9:00 p.m. on December 16, 2025, observed one sanitary manhole (MH BA8ED) overflowing. This was caused by a blockage in the sewer line which was relieved using a flusher truck. The overflow ceased at approximately 9:45pm on December 16, 2025. The amount of the overflow is estimated at 50 gallons discharged to a storm sewer, tributary to the Buffalo Creek. The area around the manhole has been returned to its' original condition prior to the overflow.

On December 17, 2025, tele-inspection was performed on this section of sewer line which identified grease buildup as being the cause of the backup and subsequent overflow. The grease buildup has been cleared from this line. A FOG inspection will be scheduled with the upstream, suspected grease contributor(s). Additionally, a semi-annual preventative maintenance task has been input into our CMMS program that will address the cleaning of this sewer line at a frequency that should eliminate the potential of a repeat occurrence.

As part of our Collection System Capacity, Management, Operation and Maintenance program we have been installing Cured In-Place Pipelining within the Sewer District 1 service area, along with flow monitoring, manhole repairs, smoke and dye testing, televising and house inspections for Inflow and Infiltration abatement to minimize these events

Please call me at 716-684-1234, if you have any questions.

Sincerely yours,



William D. Strzeszynski II - Senior Sewer District Manager

cc: J. Fiegl / M. Salah /D. Wierzba/D. Millar/G. Pecak/N. Wetzel/1.2.3.DEC Overflows
K. Kaminski/C. Horne/D. Delmont / J. McDonald
M. Pinto/ J. Gollegly